

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6996

CHARLES M. CASSELL, III,

Plaintiff - Appellant,

v.

FNU DAWKINS, Dr.; DAVID GUINN, Physician's Assistant,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Frank D. Whitney,
Chief District Judge. (5:14-cv-00060-FDW)

Submitted: December 15, 2014 Decided: January 12, 2015

Before NIEMEYER and DIAZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Charles M. Cassell, III, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles M. Cassell, III, seeks to appeal the district court's order dismissing this 42 U.S.C. § 1983 (2012) action. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

The district court's order was entered on the docket on May 2, 2014. The notice of appeal was filed on June 19, 2014. See Houston v. Lack, 487 U.S. 266, 276 (1988) (notice of appeal deemed filed upon its delivery to prison officials for mailing). Because Cassell failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED